



REPUBLIC OF KENYA

Scheme of Service

for

Legal Officers

December, 2010

APPROVED BY THE PUBLIC SERVICE COMMISSION OF KENYA

AND

**ISSUED BY THE MINISTRY OF STATE FOR PUBLIC SERVICE
OFFICE OF THE PRIME MINISTER**

Scheme of Service

for

Legal Officers

December, 2010



**OFFICE OF THE PRIME MINISTER
MINISTRY OF STATE FOR PUBLIC SERVICE**

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Date: **10th December, 2010**

The Permanent Secretary
Ministry of Justice, National Cohesion and
Constitutional Affairs
NAIROBI.

SCHEME OF SERVICE FOR LEGAL OFFICERS

I am pleased to inform you that the Scheme of Service for Legal Officers which forms an appendix to this letter has been finalized with the approval of the Public Service Commission of Kenya. The effective date of implementation will be 1st July, 2010.

The Scheme of Service establishes nine (9) grades of Legal Officers and provides clear and concise job descriptions and specifications at all levels within the grading structure. Provision of these details will no doubt greatly assist in recruitment, deployment, retention and general development of Legal Officers.

Please take necessary action and ensure that the provisions of the new Scheme are brought to the attention of all officers concerned.


TITUS M. Ndambuki, CBS
PERMANENT SECRETARY

c.c: The Secretary
Public Service Commission of Kenya
NAIROBI

SCHEME OF SERVICE FOR LEGAL OFFICERS

1. AIMS AND OBJECTIVES

- (i) To provide for a well-defined career structure, which will attract, motivate and facilitate the retention of suitably qualified and competent Legal Officers.
- (ii) To provide for well-defined job descriptions and specifications with clear delineation of duties and responsibilities at all levels within the career structure to enable Legal Officers understand the requirements and demands of their jobs.
- (iii) To establish standards for recruitment, training and advancement to higher grades within the career structure on the basis of qualifications, knowledge, experience, merit and ability as reflected in work performance and results.
- (iv) To ensure appropriate career planning and succession management.

2. ADMINISTRATION AND TRAINING SCOPE OF THE SCHEME

(a) Responsibility for Administration

The Scheme of Service will be administered by the Permanent Secretary, responsible for matters relating to justice and constitutional affairs in consultation with the Public Service Commission. In administering the Scheme, the Permanent Secretary will ensure that its provisions are strictly observed for fair and equitable treatment of staff and that, officers are confirmed in appointment on successful completion of their probation period.

(b) Training Scope

In administering the Scheme, the Permanent Secretary will ensure that officers under the Scheme acquire the necessary qualifications prescribed in the Scheme. In addition, the Permanent Secretary will ensure that appropriate induction/training opportunities and facilities are provided to assist serving officers acquire additional qualifications/specialization and experience required for both efficient performance of their duties and advancement within the Scheme of Service. Officers should also be encouraged to undertake training privately for self development. However, in all matters of training, the Permanent Secretary administering the Scheme will consult the Secretary, Public Service Commission of Kenya.

3. THE LEGAL FUNCTION

The legal function involves:- formulation of policies on legal issues and administration of justice; facilitation of constitutional review, development and implementation; law reform and harmonization of laws with the Constitution; provision of in-house legal advice to Ministries/Departments and other Government agencies; liaison with the State Law Office; facilitating the setting up of structures and institutions for consolidating administration of justice, good governance, transparency, accountability, ethics, integrity and national values; promotion and protection of human rights; ensuring compliance with regional and international instruments; review, consolidation and codification of laws for promotion of democratic governance, social justice; rule of law; facilitation of development and institutionalization of anti-corruption strategies and programmes; provision of legal aid and advisory services to the public; preparation of legal instruments; and development of policy for and provision of legal education.

4. GRADING STRUCTURE AND SCOPE

(a) Grading Structure

The Scheme of Service establishes nine (9) grades of Legal Officers who will be designated and graded as follows:

Designation	Salary Level
Legal Officer II	SL1
Legal Officer I	SL2
Senior Legal Officer	SL3
Principal Legal Officer	SL4
Assistant Deputy Chief Legal Officer	SL5
Deputy Chief Legal Officer	SL6
Chief Legal Officer	SL7
Director, Legal Affairs	SL8
Secretary, Justice, Legal and Constitutional Affairs	SL 9

Note:

- (i) *The grades of Legal Officer II/I/Senior/Principal, Salary Levels 1/2/3/4 will form a common establishment for the purposes of this Scheme of Service.*
- (ii) *Serving Legal Officers in the Ministries/Departments will adapt as appropriate to the new grading designations.*

5. PROVISION OF POSTS

A Scheme of Service does not constitute authority for creation of post(s). Any additional post(s) required under the new grading structure must be included in the

Ministry's establishment proposals for consideration and approval by the Secretary, Public Service Commission of Kenya.

6. ENTRY INTO THE SCHEME OF SERVICE

(a) Direct Appointment

Direct appointment to this Scheme will normally be made in the grades of Legal Officer II, Salary Level 1 provided the candidate is in possession of the minimum qualifications stipulated in the grade. In exceptional circumstances, however, direct appointment beyond these grades may be made by the Public Service Commission on recommendation of the Permanent Secretary, administering the Scheme in consultation with the Permanent Secretary, Ministry of State for Public Service, provided the candidate is in possession of the minimum qualifications and experience required for appointment to the grade.

(b) Incremental Credit

Incremental credit(s) for approved experience acquired after obtaining the prescribed minimum qualifications for the grade may be awarded at the rate of one increment for each completed year provided the maximum of the scale is not exceeded. In awarding incremental credits, any period of service or experience stipulated as a basic requirement for appointment or promotion to a particular grade will be excluded.

